

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER		DO NOT WRITE IN THIS SPACE Case 05-CA-132973 Date Filed 07/17/2014	
INSTRUCTIONS: File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.			
1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer PNGJ Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers		b. Number of workers employed 100	
c. Address 821 Hull Street Richmond, VA 23224 McDonald's Corp: 2111 McDonald's Dr. Oak Brook, IL 60523	d. Employer Representative PNGJ Enterprises: (b) (6), (b) (7)(C) [REDACTED] McDonald's: Gloria Santana	e. Telephone No. PNGJ Enterprises: (804) 559-1607	
f. Type of Establishment Restaurant	g. Identify principal product or service Food Service		
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsection 5(1) and (3) and (4) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act			
2 BASIS OF THE CHARGE (Set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On a date within the last six months, employer has interfered with and discriminated against employees in the exercise of their Section 7 rights in violation of Sections 8(a)(1) and (3) of the Act by engaging in the following conduct: -cutting employee (b) (6), (b) (7)(C) hours in retaliation for participating in the global fast food strikes on May 15, 2014; -suspending (b) (6), (b) (7)(C) for (b) (6), [REDACTED] in retaliation for engaging in protected concerted activity.			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Southern Workers Organizing Committee			
4a. Address (street and number, city, state, and ZIP code) 314 S. Wilmington St., Suite 207 Raleigh, NC 27601		4b. Telephone No. Guillermo Zamora (703) 629-2199	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.			
<u>Virginia R Diamond</u> (Signature of representative or person making charge)		<u>Attorney</u> (Title if any)	
Address <u>Ashcraft & Gerel, LLC, Suite 650, 4900 Seminary Rd., Alexandria, VA 22311</u>		<u>(919) 942-5200</u> (Telephone No.)	
(Date) <u>July 17, 2014</u>			
WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)			

REGION 5
BALTIMORE NO 21202-7001

2014 JUL 17 PM 1:04

TELEPHONE RECORD

CHARGE ASSIGNMENT SHEET (EMPLOYER)

Case No.: 05-CA-132973

CASE NAME: PNG Enterprises & McDonald's Corp as Joint and

DATE FILED:

7/17/14

CATEGORY:

☐ I ☒ II ☐ III

Single Employees

Potential 10(j)

No

8(a)(2) (indicated name of union):

discriminatees

8(a)(3):

of Employees (if not currently on charge) 100

IO charge? Yes: ☐ No: ☒

Dispute City: Richmond

Dispute State: VA

HOT TOPIC?

Yes: ☒ No: ☐

Barg Status:

- ☐ Existing Contract
- ☒ None
- ☐ Organizational Campaign
- ☐ Seeking Initial Contract
- ☐ Seeking Successor Contract

COMMENTS:

Fast Food operations e-mail 8/29/13

SUPERVISOR:

NMS

AGENT:

Andrews

8(a)(1)

- ☐ Coercive Actions (Surveillance, etc)
- ☐ Coercive Rules
- ☐ Coercive Statements (Threats, Promises of Benefits, etc.)
- ☒ Concerted Activities (Retaliation, Discharge, Discipline)
- ☐ Denial of Access
- ☐ Discharge of supervisor (Parker-Robb Chevrolet)
- ☐ Interrogation (including Polling)
- ☐ Lawsuits
- ☐ Weingarten

8(a)(4)

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (including Layoff and Refusal to Hire)
- ☐ Discipline
- ☐ Refusal to Reinstate Employee/Striker
- ☐ Shutdown or Relocate/ Subcontract Unit Work

8(a)(2)

- ☐ Assistance
- ☐ Domination
- ☐ Unlawful Recognition

8(a)(5)

- ☐ Alter Ego
- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)
- ☐ Refusal to Furnish Information
- ☐ Refusal to Hire Majority
- ☐ Refusal to Recognize
- ☐ Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes
- ☐ Shutdown or Relocate (e.g. First National Maintenance).Subcontract Work

8(a)(3)

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (Including Layoff and Refusal to Hire (not salting))
- ☐ Discipline
- ☐ Lockout
- ☐ Refusal to Consider/Hire Applicant (salting only)
- ☐ Refusal to Reinstate Employee/Striker (e.g. Laidlaw)
- ☐ Retaliatory Lawsuit
- ☐ Shutdown or Relocate/ Subcontract Unit Work
- ☐ Union Security Related Actions

8(e)

- ☐ All Allegations against a Labor Organization
- ☐ All Allegations against an Employer

(b) (6), (b) (7)(C)

Proofed by: [Signature]

ASHCRAFT & GEREL, LLP

ATTORNEYS AND COUNSELLORS AT LAW

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS*

SUITE 650

4900 SEMINARY ROAD

ALEXANDRIA, VIRGINIA 22311

(703) 931-5500

FAX (703) 820-0630

DISTRICT OF COLUMBIA

ALLEN J. LOWE
CHRISTOPHER V. TISI
REBEKAH R. MILLER
JERRY D. SPITZ
BENJAMIN F. DOUGLAS

MARYLAND

ROBERT G. SAMET
DAVID M. LUCIVITA
WILLIAM F. MULRONEY
ROBERT P. ENDERLE
JONATHAN S. BEISER
DAVID M. LAYTON
ROBERT A. FLACK
ALAN J. MENSCH
SAMUEL G. LYNN
NATHAN M. PEAK
MICHAEL C. LIND
STEPHEN M. GENSENER
JAMIE M. BENNETT
SARA E. ANDERSON
ELIZABETH A. SHURA

ROCKVILLE, MD 20854

SUITE 1000

11300 ROCKVILLE PIKE

(301) 770-2737

LANDOVER, MD 20705

SUITE 301

4301 GARDEN CITY DRIVE

(301) 459-8400

WASHINGTON, DC 20036

SUITE 400

2000 L STREET, N.W.

(202) 783 6400

BALTIMORE, MD 21202

SUITE 1212

10 EAST BALTIMORE STREET

(410) 539 1122

VIRGINIA

LAWRENCE J. PASCAL
WAYNE M. HANSULLA
JAMES F. GREEN
MICHELLE A. PARFITT
CRAIG A. BROWN
SIDNEY SCHUPAK
DAVID L. SAYNE, JR.
DAVID B. VERNONT
JOSEPH T. MUEBO
PAULINE I. KHAMO
PETER T. ANDERSON

OF COUNSEL

SUSAN C. MINKIN
L. PALMER FORET
VIRGINIA R. DIAMOND

LEE C. ASHCRAFT
1908-1993

MARTIN E. GEREL
1919-2011

To: Charles Posner, Regional Director, NLRB

From: Virginia R. Diamond, Attorney for Charging Party (Southern Workers Organizing Committee)

Re: PNGJ Enterprises d/b/a/ McDonald's & McDonald's Corp and (b) (6), (b) (7)(C)

BY FAX -

Charge Filed By Southern Workers
Organizing Committee

1 page follows



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

Region 5
Bank of America Center, Tower II
100 S. Charles Street, Suite 600
Baltimore, MD 21201

Agency Website: www.nlr.gov
Telephone: (410) 962-2822
Fax: (410) 962-2198



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July 18, 2014

(b) (6), (b) (7)(C)

PNGJ Enterprises d/b/a
McDonald's & McDonald's Corporation
as Joint and Single Employers
821 Hull Street
Richmond, VA 23224

Re: PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and
Single Employers
Case 05-CA-132973

Dear **(b) (6), (b) (7)(C)**:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Kimberly E. Andrews whose telephone number is (410) 962-3120. If Kimberly E. Andrews is not available, you may contact Supervisory Field Examiner Nathan M. Seidman whose telephone number is (410) 962-2740.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

July 18, 2014

We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Charles L. Posner". The signature is written in a cursive, flowing style.

Charles L. Posner
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Ms. Gloria Santona
McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

PNGJ Enterprises d/b/a McDonald's and McDonald's corporation as Joint and Single Employers

CASE NUMBER

05-CA-132973

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)**YES NO**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: _____**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**PNGJ ENTERPRISES D/B/A MCDONALD'S
AND MCDONALD'S CORPORATION AS JOINT
AND SINGLE EMPLOYERS**

Charged Party

and

**SOUTHERN WORKERS ORGANIZING
COMMITTEE**

Charging Party

Case 05-CA-132973

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 18, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

PNGJ Enterprises d/b/a McDonald's & McDonald's
Corp. as Joint and Single Employers
821 Hull Street
Richmond, VA 23224

Ms. Gloria Santona
McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523

July 18, 2014

Date

Michelle K. Logan,
Designated Agent of NLRB

Name

Michelle K. Logan

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

Region 5
Bank of America Center, Tower II
100 S. Charles Street, Suite 600
Baltimore, MD 21201

Agency Website: www.nlr.gov
Telephone: (410) 962-2822
Fax: (410) 962-2198



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July 18, 2014

Guillermo Zamora, Esq.
Ashcraft & Gerel, LLC
4900 Seminary Road, Suite 650
Alexandria, VA 22311

Re: PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and Single
Employers
Case 05-CA-132973

Dear Mr. Zamora:

The charge that you filed in this case on July 17, 2014 has been docketed as case number 05-CA-132973. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Kimberly E. Andrews whose telephone number is (410) 962-3120. If Kimberly E. Andrews is not available, you may contact Supervisory Field Examiner Nathan M. Seidman whose telephone number is (410) 962-2740.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

July 18, 2014


fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Charles L. Posner". The signature is fluid and cursive, with the first name "Charles" being the most prominent part.

Charles L. Posner
Regional Director

Enclosure: Copy of Charge

cc: Southern Workers Organizing Committee
314 South Wilmington Street, Suite 207
Raleigh, NC 27601

From: [Andrews, Kimberly](#)
To: ["Lauren Bonds"](#)
Subject: RE: (b) (6), (b) (7)(C) Affidavit
Date: Monday, August 4, 2014 9:46:00 AM

This is to confirm my appointment with (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C) at;

201 East Cary Street
Richmond , Virginia
United States 23219

Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]
Sent: Wednesday, July 30, 2014 11:03 AM
To: Andrews, Kimberly
Subject: (b) (6), (b) (7) Affidavit

Hi Kimberly,

(b) (6), (b) (7)(C) is available to give (b) (6), (b) (7)(C) affidavit anytime (b) (6), (b) (7)(C) preferably in (b) (6), (b) (7)(C). Does that still work for you? Just let me know what time.

Best,

Lauren

--

Lauren Bonds
Law Fellow
Service Employees International Union



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410)962-2822
Fax: (410)962-2198

Agent's Direct Dial: (410)962-3120

August 7, 2014

Via email ddavis@jonesday.com
Doreen S. Davis, Attorney
Jones Day
222 East 41st Street, 2nd Floor
New York, NY 10017-6702

jlinas@jonesday.com
Jonathan M Linas, ESQ., Attorney
Jones Day
77 W WACKER DR.
Ste 3500
CHICAGO, IL 60601-1692

amadsen@jonesday.com
Andrew G. Madsen, Attorney
Jones Day
77 W. Wacker Drive, Suite 3500
Chicago, IL 60601-1701

Re: PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and Single
Employers
Case 05-CA-132973

Dear Ms. Davis, Mr. Linas, and Mr. Madsen:

I am writing this letter to advise you that it is now necessary for me to take evidence from your client regarding the allegations raised in the investigation of the above-captioned matter. As explained below, I am requesting to take affidavits on or before **August 18, 2014** with regard to certain allegations in this case.

Allegations: The allegations for which I am seeking your evidence are as follows.

In or around (b) (6), (b) (7)(C) 2014, the Employer significantly reduced the works hours of (b) (6), (b) (7)(C) and then completely removed (b) (6), (b) (7)(C) from the schedule for the week of (b) (6), (b) (7)(C), 2014, in retaliation for (b) (6), (b) (7)(C) union and other protected activities.

Board Affidavits: I am requesting to take affidavits from (b) (6), (b) (7)(C) whose last name is currently unknown to the Region, and any other individuals you believe have information relevant to the investigation of the above-captioned matter. Please be advised that the failure to present representatives who would appear to have information relevant to the

investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge.

Documents: Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

1. A complete employment record for (b) (6), (b) (7)(C) including any and all disciplines issued to (b) (6), (b) (7)(C)
2. Any and all correspondence between the Charging Party Union and the Employer regarding an April 2014 strike and demonstration.
3. Copies of all store employee work schedules from April 2014 through July 2014.
4. An explanation of the reduction of (b) (6), (b) (7)(C) work hours.
5. Any other documents the Employer deems relevant.

Date for Submitting Evidence: To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter by **August 18, 2014**. If I have not received all your evidence by the due date or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlrb.gov**, select **E-File Documents**, enter the **NLRB case number**, and follow the detailed instructions. Please contact me at your earliest convenience by telephone, (410)962-3120, or e-mail, kimberly.andrews@nlrb.gov, so that we can discuss how you would like to provide evidence and I can answer any questions you have with regard to the issues in this matter.

Very truly yours,

/s/ *Kimberly Andrews*

KIMBERLY E. ANDREWS
Field Examiner

From: [Lauren Bonds](#)
To: [Andrews, Kimberly](#)
Subject: Re: (b) (6), (b) (7)(C) Affidavit
Date: Friday, August 8, 2014 10:14:07 AM
Attachments: [Hull St Richmond VA McD.JPG](#)
[Hull St Richmond VA McD.docx](#)

Hi Kimberly,

It was nice meeting you yesterday. Attached is the strike notice the union delivered to (b) (6), (b) (7)(C) store as well as an email confirmation of the delivery.

Here is a link to a video of the May 15th strikes in Richmond. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) I am still looking for footage of (b) (6), (b) (7)(C) media interview
<http://www.youtube.com/watch?v=TLXcAlr9RLM>

We have had some trouble getting the paystubs. What is the deadline to submit them?

Thanks

Lauren

On Thu, Aug 7, 2014 at 11:13 AM, Andrews, Kimberly <Kimberly.Andrews@nlrb.gov> wrote:

Lauren,

In addition to what we discussed this morning, I will also need some paystubs from (b) (6), (b) (7)(C).
Thank you.

Kimberly Andrews

Board Agent

National Labor Relations Board, Region 5

100 South Charles Street

Suite 600, Tower II

Baltimore, MD 21202

t: [\(410\)962-3120](tel:(410)962-3120)

f: [\(410\)962-2198](tel:(410)962-2198)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]
Sent: Wednesday, July 30, 2014 11:03 AM
To: Andrews, Kimberly
Subject: (b) (6), (b) (7)(C) Affidavit

Hi Kimberly,

(b) (6), (b) (7)(C) is available to give (b) (6), (b) (7)(C) affidavit anytime (b) (6), (b) (7)(C) preferably in (b) (6), (b) (7)(C). Does that still work for you? Just let me know what time.

Best,

Lauren

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds
Law Fellow
Service Employees International Union



Johnda Bentley <johnda.bentley@seiu.org>

STRIKE NOTICE

(b) (6), (b) (7)(C)

Thu, May 15, 2014 at 1:33 PM

To: johnda.bentley@seiu.org, (b) (6), (b) (7)(C)

At 7:45am on 05/15/14, I delivered the attached strike notice to McDonald's at 821 Hull St. Richmond, VA.

It was accepted by a manager named (b) (6), (b) (7)(C)

Strike Notice McD 821 Hull St..JPG
113K

Southern Workers Organizing Committee
324 S. Wilmington St #307 Raleigh, NC 27601

5.15.2014

To: McDonalds
821 Hull St, Richmond VA 23224

Attention management and ownership of this restaurant:

This is to notify you that on May 15, 2014, we workers are going on strike. We are striking to protest und labor practices and wage theft occurring here, in workplaces in our city, and in solidarity with workers across the country. We are also striking to demand a \$15 an hour wage and the right to join a union without retaliation. We are not making a present demand for recognition at this time.

We offer to return to work unconditionally after May 15th for our next regularly scheduled shift. This is a peaceful, lawful, one-day strike protected by federal labor law. We expect that you will obey federal law, refrain from firing, discriminating, or retaliating against us for standing together to improve our jobs and safeguard our rights.

This company is profitable because of our hard work, but we are paid poverty wages that are not enough to pay for the basics like food, rent, and utilities. We want to properly care for our families, so we are taking stand to improve our future.

Point Name:

(b) (6), (b) (7)(C)

From: [Andrews, Kimberly](#)
To: [\(b\) \(6\), \(b\) \(7\)\(C\)@partners.mcd.com"](#)
Date: Wednesday, August 13, 2014 3:28:03 PM
Attachments: [LTR.05-CA-132973.Request Evidence-No Prior Contact.docx.pdf](#)
[DEV.05-CA-132973.Documents Received with the Charge.pdf](#)

(b) (6), (b) (7)(C)

As discussed earlier, I have attached the original charge documents and also included the letter specifying the allegations and seeking specific documents. I need your information by August 22, 2014. Call me if you have any further questions.

Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

ASHCRAFT & GEREL, LLP

ATTORNEYS AND COUNSELLORS AT LAW

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS*

SUITE 650

4900 SEMINARY ROAD

ALEXANDRIA, VIRGINIA 22311

(703) 931-5500

FAX (703) 820-0630

DISTRICT OF COLUMBIA

ALLEN J. LOWE
CHRISTOPHER V. TISI
REBEKAH R. MILLER
JERRY D. SPITZ
BENJAMIN F. DOUGLAS

MARYLAND

ROBERT G. SAMET
DAVID M. LUCIVITA
WILLIAM F. MULRONEY
ROBERT P. ENDERLE
JONATHAN S. BEISER
DAVID M. LAYTON
ROBERT A. FLACK
ALAN J. MENSCH
SAMUEL G. LYNN
NATHAN M. PEAK
MICHAEL C. LIND
STEPHEN M. GENSENER
JAMIE M. BENNETT
SARA E. ANDERSON
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2000 L STREET, N.W.

(202) 783 6400

BALTIMORE, MD 21202

SUITE 1212

10 EAST BALTIMORE STREET

(410) 539 1122

VIRGINIA

LAWRENCE J. PASCAL
WAYNE M. HANSULLA
JAMES F. GREEN
MICHELLE A. PARFITT
CRAIG A. BROWN
SIDNEY SCHUPAK
DAVID L. BAYNE, JR.
DAVID B. VERNONT
JOSEPH T. MUEBO
PAULINE I. KHAMO
PETER T. ANDERSON

OF COUNSEL

SUSAN C. MINKIN
L. PALMER FORET
VIRGINIA R. DIAMOND

LEE C. ASHCRAFT
1908-1993

MARTIN E. GEREL
1919-2011

To: Charles Posner, Regional Director, NLRB

From: Virginia R. Diamond, Attorney for Charging Party (Southern Workers Organizing Committee)

Re: PNGJ Enterprises d/b/a/ McDonald's & McDonald's Corp and (b) (6), (b) (7)(C)

BY FAX -

Charge Filed By Southern Workers
Organizing Committee

1 page follows



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410)962-2822
Fax: (410)962-2198

Agent's Direct Dial: (410)962-3120

August 7, 2014

Via email ddavis@jonesday.com
Doreen S. Davis, Attorney
Jones Day
222 East 41st Street, 2nd Floor
New York, NY 10017-6702

jlinas@jonesday.com
Jonathan M Linas, ESQ., Attorney
Jones Day
77 W WACKER DR.
Ste 3500
CHICAGO, IL 60601-1692

amadsen@jonesday.com
Andrew G. Madsen, Attorney
Jones Day
77 W. Wacker Drive, Suite 3500
Chicago, IL 60601-1701

Re: PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and Single
Employers
Case 05-CA-132973

Dear Ms. Davis, Mr. Linas, and Mr. Madsen:

I am writing this letter to advise you that it is now necessary for me to take evidence from your client regarding the allegations raised in the investigation of the above-captioned matter. As explained below, I am requesting to take affidavits on or before **August 18, 2014** with regard to certain allegations in this case.

Allegations: The allegations for which I am seeking your evidence are as follows.

In or around (b) (6), (b) (7)(C) 2014, the Employer significantly reduced the works hours of (b) (6), (b) (7)(C), and then completely removed (b) (6), (b) (7)(C) from the schedule for the week of (b) (6), (b) (7)(C) 2014, in retaliation for (b) (6), (b) (7)(C) union and other protected activities.

Board Affidavits: I am requesting to take affidavits from (b) (6), (b) (7)(C), whose last name is currently unknown to the Region, and any other individuals you believe have information relevant to the investigation of the above-captioned matter. Please be advised that the failure to present representatives who would appear to have information relevant to the

investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge.

Documents: Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

1. A complete employment record for (b) (6), (b) (7)(C), including any and all disciplines issued to (b) (6), (b) (7)(C)
2. Any and all correspondence between the Charging Party Union and the Employer regarding an April 2014 strike and demonstration.
3. Copies of all store employee work schedules from April 2014 through July 2014.
4. An explanation of the reduction of (b) (6), (b) (7)(C) work hours.
5. Any other documents the Employer deems relevant.

Date for Submitting Evidence: To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter by **August 18, 2014**. If I have not received all your evidence by the due date or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlr.gov**, select **E-File Documents**, enter the **NLRB case number**, and follow the detailed instructions. Please contact me at your earliest convenience by telephone, (410)962-3120, or e-mail, kimberly.andrews@nlrb.gov, so that we can discuss how you would like to provide evidence and I can answer any questions you have with regard to the issues in this matter.

Very truly yours,

/s/ *Kimberly Andrews*

KIMBERLY E. ANDREWS
Field Examiner

From: [Andrews, Kimberly](#)
To: ["Brian Sharpe"](#)
Subject: RE: Southern Workers Organizing Committee v. PNGJ Enterprises, Inc.; 05-CA-132973
Date: Friday, September 5, 2014 11:31:00 AM

Mr. Sharpe,

The Region also needs the following questions answered regarding this case;

1. Was there any activity that was protected by the Act at the restaurant?
2. If so, was McDonald's corporate involved in responding, in any way, to that protected activity?
3. For each of the adverse actions in the allegations in this charge, was McDonald's corporate involved in the commission of the adverse actions, following up on them, or responding to them?

Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

From: Brian Sharpe [mailto:bsharpe@lapointelaw.net]
Sent: Friday, August 15, 2014 5:01 PM
To: Andrews, Kimberly
Subject: Southern Workers Organizing Committee v. PNGJ Enterprises, Inc.; 05-CA-132973

Dear Ms. Andrews,

Attached is my notice of appearance which was also filed via the E-filing system. I will call to follow up. Thank you very much.

Sincerely,

Brian J. Sharpe
LaPointe Law, P.C.

1200 Shermer Road, Suite 310 | Northbrook, IL 60062

Phone 847.786.2505 | Fax 847.786.2650

bsharpe@lapointelaw.net | www.lapointelaw.net

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Circular 230 Disclosure: Any tax advice contained in this message was not intended or written to be used, and cannot be used (i) by any taxpayer for the purpose of avoiding any penalties that may be imposed on the taxpayer, or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

From: [Seidman, Nathan M](#)
To: [Jaffe, Leah Z.](#)
Cc: [Andrews, Kimberly](#); [Shuster, Steven L.](#)
Subject: FW: FIR (b) (5) (05-CA-132973) PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers
Date: Tuesday, September 30, 2014 8:52:00 AM

Leah,

Below you will find an e-mail chain (b) (5) of Region 5's case 05-CA-132973 involving a McDonald's in Richmond, Virginia. All documents have been uploaded to the NxGen file.

(b) (5)

Thank you for taking the time to coordinate these McDonald's cases.

Nathan Seidman, SFX
Region 5 – Baltimore
(410) 962-2740

From: Shuster, Steven L.
Sent: Monday, September 29, 2014 6:03 PM
To: Seidman, Nathan M
Subject: RE: EMI: FIR (b) (5) 05-CA-132973 PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

I agree. Send it to R-2

From: Seidman, Nathan M
Sent: Monday, September 29, 2014 5:40 PM
To: Shuster, Steven L.
Cc: Andrews, Kimberly
Subject: FW: EMI: FIR (b) (5) 05-CA-132973 PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers
Importance: High

From: Seidman, Nathan M
Sent: Friday, September 26, 2014 1:38 PM
To: Shuster, Steven L.
Cc: Andrews, Kimberly
Subject: FW: EMI: FIR (b) (5) 05-CA-132973 PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

Steve,

Please review Kim's team FIR. (b) (5)

(b) (5)

Nathan

From: Andrews, Kimberly

Sent: Wednesday, September 24, 2014 3:35 PM

To: Seidman, Nathan M

Subject: EMI: FIR (b) (5) 05-CA-132973 PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

Nathan- Here is my [FIR](#) (b) (5) for the above-captioned case.

Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

From: [Dunham, Geoffrey](#)
To: [Seidman, Nathan M](#); [Shuster, Steven L](#)
Cc: [Tursell, Beth](#)
Subject: FW: (b) (5) : FIR (b) (5) (05-CA-132973) PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers
Date: Tuesday, December 2, 2014 9:50:48 AM

Nathan/Steve, your region's decision in this case is affirmed. Please inform parties of the decision and process as dismissal or withdrawal. Sorry for delay in responding. Geoff

From: Fernbach, Karen P.
Sent: Monday, December 01, 2014 7:00 PM
To: Dunham, Geoffrey
Cc: Jaffe, Leah Z.
Subject: Re: (b) (5) : FIR (b) (5) (05-CA-132973) PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

I affirm (b) (5) .

Sent from my iPhone

On Dec 1, 2014, at 5:31 PM, Dunham, Geoffrey <geoffrey.dunham@nrlb.gov> wrote:

(b) (5)
[Redacted]
[Redacted]

Below is analysis from FIR. Email string below has management reasoning.

Analysis and Recommendation

(b) (5), (b) (6), (b) (7)(C)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Tursell, Beth
Sent: Friday, November 28, 2014 4:39 PM
To: Jaffe, Leah Z.; Dunham, Geoffrey
Cc: Tursell, Beth
Subject: FW: FIR (b) (5) (05-CA-132973) PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

Please follow up with Region 5 on this recommendation.

Beth Tursell
Assistant to the General Counsel
Division of Operations-Management
(202)273-2888
beth.tursell@nrlrb.gov

From: Seidman, Nathan M
Sent: Tuesday, September 30, 2014 8:52 AM
To: Jaffe, Leah Z.
Cc: Andrews, Kimberly; Shuster, Steven L.
Subject: FW: FIR Recommending (b) (5) (05-CA-132973) PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

Leah,

Below you will find an e-mail chain (b) (5) of Region 5's case 05-CA-132973 involving a McDonald's in Richmond, Virginia. All documents have been uploaded to the NxGen file. As the coordinating Region for McDonald's cases, please let us know if you agree with our recommendation and we will proceed accordingly.

Thank you for taking the time to coordinate these McDonald's cases.

Nathan Seidman, SFX
Region 5 – Baltimore
(410) 962-2740

From: Shuster, Steven L.
Sent: Monday, September 29, 2014 6:03 PM
To: Seidman, Nathan M
Subject: RE: EMI: FIR recommending (b) (5) 05-CA-132973 PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers

I agree. Send it to R-2

From: Seidman, Nathan M
Sent: Friday, September 26, 2014 1:38 PM
To: Shuster, Steven L.
Cc: Andrews, Kimberly

From: [Lauren Bonds](#)
To: [Andrews, Kimberly](#)
Subject: Re: (b) (6), (b) (7)(C) Phone No.
Date: Tuesday, December 9, 2014 4:30:33 PM

Hi Kim, I can speak now if that works for you.

My number is 202.730.7149

On Tue, Dec 9, 2014 at 3:53 PM, Andrews, Kimberly <Kimberly.Andrews@nlrb.gov> wrote:

Lauren,

The coordination Region for the charges got back to our Region about the determination and disposition of this charge. When would be a good time to discuss it? Let also, please provide me your phone number.

Kimberly Andrews

Board Agent

National Labor Relations Board, Region 5

100 South Charles Street

Suite 600, Tower II

Baltimore, MD 21202

t: [\(410\)962-3120](tel:(410)962-3120)

f: [\(410\)962-2198](tel:(410)962-2198)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]

Sent: Friday, September 26, 2014 8:44 AM

To: Andrews, Kimberly

Subject: (b) (6), (b) (7)(C) Phone No.

Hi Kim,

Below is the new number I have for (b) (6), (b) (7)(C). It is (b) (6), (b) (7)(C) phone but (b) (6), (b) (7)(C) said they should be together for most of today. I gave (b) (6), (b) (7)(C) a heads up you would be calling.

(b) (6), (b) (7)(C)

Best,

Lauren

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds

Law Fellow

Service Employees International Union

From: [Piazza Ortiz, Grace E.](#)
To: [Chambers, John](#); [Clark, Cathy D.](#)
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973
Date: Wednesday, December 24, 2014 11:45:00 AM

Letters issued

Grace E. Piazza Ortiz

Language Specialist
National Labor Relations Board, Region Five
100 South Charles Street, Suite 600
Baltimore, MD 21201
410-962-2970

Think twice before hitting "Reply All" 😊

From: Shuster, Steven L.
Sent: Wednesday, December 24, 2014 11:23 AM
To: Wilkins, Charlene E.; Seidman, Nathan M
Cc: Chambers, John; Piazza Ortiz, Grace E.
Subject: RE: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

The [letter](#) is approved and can issue.

From: Wilkins, Charlene E.
Sent: Wednesday, December 24, 2014 9:46 AM
To: Seidman, Nathan M
Cc: Shuster, Steven L.; Chambers, John; Piazza Ortiz, Grace E.
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973
Importance: High

Withdrawal letter is ready for final approval.

From: Piazza Ortiz, Grace E.
Sent: Wednesday, December 24, 2014 8:34 AM
To: Wilkins, Charlene E.
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

Hi Charlene,

WD [letter](#) for case 05-CA-132973 is ready. Thank you.

Grace E. Piazza Ortiz

Language Specialist
National Labor Relations Board, Region Five
100 South Charles Street, Suite 600

Baltimore, MD 21201
410-962-2970

Think twice before hitting "Reply All" 😊

From: Smith III, David
Sent: Wednesday, December 24, 2014 7:16 AM
To: Piazza Ortiz, Grace E.
Subject: RE: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

I have reviewed and approved your letter. Please submit to Charlene for approval.

V/R,

David Smith

National Labor Relations Board
Region 5, Baltimore

"Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return."

From: Piazza Ortiz, Grace E.
Sent: Tuesday, December 23, 2014 3:35 PM
To: Smith III, David
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973
Importance: High

Hi David,

WD [letter](#) for case 05-CA-132973 is ready. Thank you.

Grace E. Piazza Ortiz

Language Specialist
National Labor Relations Board, Region Five
100 South Charles Street, Suite 600
Baltimore, MD 21201
410-962-2970

Think twice before hitting "Reply All" 😊

From: Chambers, John
Sent: Tuesday, December 23, 2014 3:07 PM
To: Piazza Ortiz, Grace E.
Cc: Clark, Cathy D.; Wilkins, Charlene E.
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973
Importance: High

Hi Grace,

Please process this w/d. Thanks!

Cheers!

John M. Chambers
Office Manager
National Labor Relations Board, Region 5
(410) 962-1712

From: Wilkins, Charlene E.
Sent: Tuesday, December 23, 2014 12:33 PM
To: Chambers, John
Cc: Shuster, Steven L.
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973
Importance: High

Withdrawal letter is ready to be processed.

From: Shuster, Steven L.
Sent: Monday, December 22, 2014 4:30 PM
To: Wilkins, Charlene E.
Cc: Seidman, Nathan M
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

This w/d is approved and ready for processing.

From: Seidman, Nathan M
Sent: Monday, December 22, 2014 4:06 PM
To: Shuster, Steven L.
Cc: Andrews, Kimberly
Subject: FW: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

This full withdrawal is ready for approval and processing.

From: Andrews, Kimberly
Sent: Tuesday, December 16, 2014 6:25 PM
To: Seidman, Nathan M
Subject: Disposition Chain WITHDRAWAL, PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers 05-CA-132973

WITHDRAWAL

	PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and
--	---

CASE NAME:	Single Employers
CASE NUMBER:	05-CA-132973
SCOPE: Full	
Date of issuance of Withdrawal Letter:	

-

Remarks:

(b) (5) [REDACTED]
[REDACTED]
[REDACTED]

Checklist:

- ☒ My LOG is updated in NxGen. (Link LOG)
- ☒ All Notices of Appearance, including e-mail correspondence, have been uploaded into NxGen.
- ☒ The Participant List accurately reflects all appearances.

-

Routing Instructions: Full - Agent - Supe - ARD - RD Sec. - OM - Typing Pool - RD Sec. - RD - Typing Pool

Typist will save e-mail chain as: **FIR.05-xx-xxxxxx.chain approving- Withdrawal**

Case Name: PNGJ Enterprises d/b/a McDonald's and McDonald's Corporation as Joint and Single Employers
Case No.: 05-CA-132973
Agent: Field Examiner KIMBERLY E. ANDREWS

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
7/24	Union Attorney	phone	I called to see who I should deal with for these charges
7/28	Organizer Lauren Bonds	phone	She called me and said she would try to get an appt for me with the employees on Friday. 202-273-7000
7/31	Bonds	Phone and email	She said she may be able to get an appt with (b) (5), (b) (6), (b) (7)(C) I told her (b) (5), (b) (6), (b) (7)(C) so I would e-mail her with some suggestions for a (b) (5), (b) (6), (b) (7)(C). She agreed.
(b) (6), (b) (7)(C)			Aff taken and EAJA sent
8/11	Er attorney for corporate	phone	He received EAJA. He wanted a copy of the charge
8/13	(b) (6), (b) (7)(C) Franchise Owner PNGJ.	Phone and email	I spoke with (b) (6), (b) (7)(C) at (b) (5), (b) (6), (b) (7)(C) <div style="background-color: black; width: 100%; height: 100px;"></div>
8/18	Brian Sharp	phone	NOA entered for franchise by Sharp. I left him VM about getting his evidence. I granted him a 7 day extension from august 22 to aug 29.

Date	Person Contacted	Method of Contact	Description of Contact or Activity
7/24	Union Attorney	phone	I called to see who I should deal with for these charges
8/25	Region 2, coordinating region	phone	I received a VM from a Board agent Region 2 asking me to request certain information from the Employer. I could not clearly hear everything he said based on the voicemail. He said I cannot email him and he will be out of the office for an extended period of time. I called back and left a VM for his supervisor explaining I could not understand the VM (b) (5) [REDACTED]
9/17	(b) (5), (b) (6)	phone	I tried to call (b) (5), (b) (6), (b) (7)(C) [REDACTED] [REDACTED] phone is not working.
9/24	(b) (5), (b) (6) Bond	phone	I tried to call (b) (5), (b) (6) but (b) (5), (b) (6) phone is not working. I talked to Bonds and told her about (b) (5), (b) (6), (b) (7)(C) [REDACTED] [REDACTED]
12/9	Region 2	Email	I was informed that (b) (5), (b) (6), (b) (7)(C) [REDACTED] was agreed to by coordinating Region.
	Bonds	Phone and e-mail	I called to discuss disposition. We kept missing each other.
12/16	Bonds	phone	Finally talked to Bonds. Explained decision. She asked for wdl.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, SUITE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410) 962-2822
Fax: (410) 962-2198

December 24, 2014

Doreen S. Davis, Esq.
Jones Day
222 East 41st Street
New York, NY 10017-6702

Jonathan M Linas, Esq.
Andrew G. Madsen, Esq.
Jones Day
77 West Wacker Drive, Suite 3500
Chicago, IL 60601-1692

Brian J. Sharpe, Esq.
LaPointe Law, P.C.
1200 Shermer Road, Suite 310
Northbrook, IL 60062-4500

Re: PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and Single
Employers
Case 05-CA-132973

Dear Ms. Davis, Mr. Linas, Mr. Madsen and Mr. Sharpe:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Charles L. Posner

Charles L. Posner
Regional Director

cc: See Page 2

PNGJ Enterprises d/b/a McDonald's and
McDonald's Corporation as Joint and Single
Employers
Case 05-CA-132973

- 2 -

December 24, 2014

cc:

(b) (5), (b) (6), (b) (7)(C)

PNGJ Enterprises Enterprises d/b/a
McDonald's & McDonald's Corp. as Joint
and Single Employers
821 Hull Street
Richmond, VA 23224

Guillermo Zamora, Esq.
Ashcraft & Gerel, LLC
4900 Seminary Road, Suite 650
Alexandria, VA 22311

Southern Workers Organizing Committee
314 S. Wilmington Street, Suite 207
Raleigh, NC 27601